

REMARKS

The office action of December 7, 2010, has been carefully considered.

It is noted that claims 1, 4, 6-11, 13-17 and 19-22 are rejected under 35 U.S.C. 102(e) over the patent application of Miller et al.

Claim 12 is rejected under 35 U.S.C. 103(a) over Miller et al. in view of the patent application of Miller.

Claim 18 is rejected under 35 U.S.C. 103(a) over Miller et al. in view of the patent to Milborn.

In view of the Examiner's rejections of the claims, applicant has amended claim 1.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, applicant has discussed the

references at length in previous amendments and incorporates those comments herein by reference. The following additional arguments are presented.

The Examiner argues that Miller et al. disclose a building component with a support layer 16 and an upper layer 17-19. The Examiner further believes that an intermediate layer would be formed by the adhesive between the support layer 16 and the upper layer 17-19. Applicant submits that a person of ordinary skill in the art would never designate an adhesive between two laminated layers of such a building component as an "intermediate layer". The Examiner is interpreting the teachings of the reference in a way contrary to how one skilled in the art would view the reference. Miller et al. do not disclose an intermediate layer as recited in the presently claimed invention.

Amended claim 1 recites that the bordering forms a visible filling of the joints between coating elements of connected building components. There is no disclosure by Miller et al. of such a visible filling at the visible surfaces of the building components. Even if the adhesive of Miller et al. covers the entire edge surfaces 20, 22, it is not possible nor desired to form a visible filling by the adhesive when the building

components are connected because Miller et al. do not show an open joint at the upper visible surfaces of the connected building components. In Miller et al. the edges of the building components are pressed together.

Another distinguishing feature of the presently claimed invention is that the intermediate layer and the bordering are simultaneously formed in one piece in a molding cavity of a tool. One skilled in the art would know that in the building component of Miller et al. the adhesive between the layers 16 and 17 and the adhesive layer 24 would never be formed together in one piece, as in the presently claimed invention.

In view of these considerations, as well as those presented in previous amendments, it is respectfully submitted that the rejection of claims 1, 4, 6-11, 13-17 and 19-22 under 35 U.S.C. 102(e) over the above-discussed reference is overcome and should be withdrawn.

The Miller and Milborn references have also been considered. Applicant submits that neither of these references adds anything to the teachings of Fowler so as to suggest the presently claimed invention as discussed above. Thus, it is respectfully submitted

**BE-172**

that the rejections of claims 12 and 18 under 35 U.S.C. 103(a) are overcome and should be withdrawn.

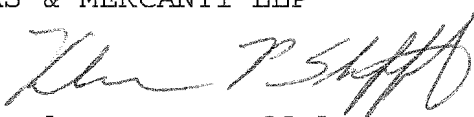
Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 02-2275.

Respectfully submitted,

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By

  
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By:

  
Klaus P. Stoffel

Date: March 7, 2011